

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 04/15/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE ROMAN CATHOLIC DIOCESE OF	:	
ROCKVILLE CENTRE, NEW YORK,	:	
	:	
Plaintiff,	:	20-CV-11011 (VEC)
	:	
-against-	:	<u>ORDER</u>
	:	
ARROWOOD INDEMNITY COMPANY,	:	
	:	
Defendant.	:	
-----X	:	

VALERIE CAPRONI, United States District Judge:

WHEREAS on April 14, 2022, the parties appeared for a pretrial conference in this matter.

IT IS HEREBY ORDERED that, for the reasons stated at the conference, any discovery demands related to the Royal insurance policies themselves must be served by no later than **Friday, May 6, 2022**. Responses are due no later than **Monday, June 6, 2022**. Although the Court does not anticipate any discovery disputes on this issue, were any such disputes to arise, the parties must follow the procedures in Rule 3(B) of the Undersigned's Individual Practices in Civil Cases.

IT IS FURTHER ORDERED that, for the reasons stated at the conference, any discovery demands related to Arrowood's defenses to its duty to defend must be served by no later than **Friday, May 20, 2022**. Responses are due no later than **Friday, June 24, 2022**. If the Diocese objects to Arrowood's discovery demands, the parties must meet and confer and, by no later than **Friday, July 15, 2022**, they must jointly propose a briefing schedule for Arrowood's motion to compel. The Court reminds the parties that any motion to compel must be accompanied by full

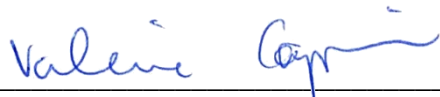
briefing. If Arrowood objects to the Diocese's discovery demands, the parties must follow the procedures in Rule 3(B) of the Undersigned's Individual Practices in Civil Cases.

IT IS FURTHER ORDERED that, for the reasons stated at the conference, any discovery related to incurred Defense costs, including (a) whether the pro rata or joint and several approach is more appropriate in straddle lawsuits; (b) the reasonableness of the Jones Day fees; and (c) the payment of defense costs with respect to the four lawsuits alleging abuse by Father Romano, is held in ABEYANCE. The Court will revisit those issues once the scope of Arrowood's duty to defend has been resolved.

IT IS FURTHER ORDERED that any amended complaint by the Diocese must be shared with Arrowood by no later than **Wednesday, May 4, 2022**. By no later than **Tuesday, May 10, 2022**, Arrowood must inform the Court whether it objects to the Diocese's filing of the amended complaint. The Court is inclined to allow the Diocese to amend its complaint to encompass insurance coverage issues for both pre-petition and post-petition claims and encourages the parties to work out this issue on their own. If Arrowood objects to the filing of the amended complaint, the Court will direct the Diocese to file a motion to amend its complaint on an expedited briefing schedule with limited page count.

SO ORDERED.

Date: April 15, 2022
New York, NY



VALERIE CAPRONI
United States District Judge